

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA)	
)	
V.)	Crim. No. 15-cr-10271-WGY
)	
ALEX LEVIN)	
_____)	

DEFENDANT'S MOTION FOR AMENDMENT OF CONDITIONS OF RELEASE

The defendant, Alex Levin, moves pursuant to 18 U.S.C. § 3145(a)(2) that this Court amend the conditions of release ordered by this Court on May 12, 2016 (Dkt. 85). Specifically, the defendant moves that he be permitted to use a computer so that he may accept a promotion that has been offered at his place of employment. The defendant's computer use would be monitored by court-approved software for which he would bear the cost. The defendant also moves that his curfew be modified to allow him to leave the house at 6:00 AM rather than 7:00 AM. Pretrial Services, through Probation Officer Chrissy Murphy, assents to this motion. As grounds therefore, the defendant states the following:

The defendant was charged with one count of possession of child pornography on August 12, 2015. On April 20, 2016, this Court allowed the Defendant's Motion to Suppress Evidence. (Dkt. 69). The prosecution filed a notice of appeal on May 17, 2016,

and the case was transferred to the jurisdiction of the First Circuit Court of Appeals. (Dkt. 89, 91). The prosecution filed its brief on October 26, 2016. The defendant filed his brief on February 3, 2017. The prosecution filed its reply brief on March 17, 2017. Oral arguments were heard on May 3, 2017.

The defendant began working at an Amazon fulfillment center in August, 2016. The defendant's supervisors have been impressed with his work and have offered the defendant a full-time position as a Senior Workflow Process Manager. This position would provide the defendant with a significant and much-needed increase in pay, as well as health care and a 401(k). The job requires the defendant to use Safety Audit Software and the regular use of email communications. It will be necessary for the defendant to log in from home as well. The defendant moves that he be permitted to use a computer that would be fitted with court-approved monitoring software that the defendant would pay for so that he may accept this promotion. The defendant's curfew currently runs until 7:00 AM. The new position will require the defendant to arrive at work at 6:30 AM on some days. He moves that this Court modify his curfew to permit him to leave his residence at 6:00 AM.

The defendant has abided by his conditions of release at all times since being released in April of 2016. Pretrial Services would be able to monitor all of the defendant's

computer activity through court-approved software, which the defendant will pay for. The defendant's other conditions of release: report to Pretrial Services; remain in Massachusetts; maintain residence and do not move without prior Pretrial Services approval; refrain from excessive use of alcohol; refrain from drug use; submit to random alcohol and drug testing; submit to location monitoring with a GPS ankle bracelet; curfew; and no unsupervised contact with children under 18 except his daughter, would remain in place.

WHEREFORE, the defendant moves that this Court amend the conditions of his release by allowing him use of a computer with monitoring software that he will pay for, and by modifying his curfew to end at 6:00 AM.

ALEX LEVIN
By His Attorneys,

CARNEY & ASSOCIATES

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August 24, 2017

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on or before the above date.

J. W. Carney, Jr.

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AFFIDAVIT SUPPORTING
DEFENDANT'S MOTION FOR AMENDMENT OF CONDITIONS OF RELEASE

I, J. W. Carney, Jr., state that the facts contained in the attached motion are true to the best of my information and belief.

Signed under the penalties of perjury.

J. W. Carney, Jr.
J. W. Carney, Jr.

August 24, 2017